

REGULAR MEETING  
FRANKFORT BOARD OF COMMISSIONERS

February 25, 2013  
5:00 P.M. (EST)

PRESENT: Mayor Pro Tem Robert E. Roach  
Commissioner Tommy Z. Haynes  
Commissioner Lynn Bowers  
Commissioner Katie Flynn Hedden  
\*Mayor William I. May, Jr. (5)

ABSENT: None (0)

\*Mayor May arrived at 5:22 p.m.

Mayor Pro Tem Roach called the meeting to order. The invocation was given by Rev. John Opsata, First Christian Church. The Pledge of Allegiance was recited.

It was moved by Commissioner Bowers, seconded by Commissioner Hedden, that the reading of the minutes of the January 14, 2013 Special Meeting; January 14, 2013 Work Session; January 25, 2013 Special Meeting; January 28, 2013 Regular Meeting; and February 6, 2013 Special Meeting be dispensed with and be approved as presented. The question was put upon the motion, and the motion was thereupon adopted by voice vote.

Jerry Bailey spoke regarding establishing a local Human Rights Commission. Mr. Bailey also offered comments regarding the hiring of a new City Manager. Commissioner Hedden responded.

Charles Bogart commented regarding the city's trash pickup service, suggesting the issue be revisited. Following brief discussion, garbage service is to be discussed at the March work session.

John Rogers offered positive comments on the garbage collection system.

"AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 32, SECTION 32.03, MEETINGS" was presented and read. This Ordinance had its first reading on January 28, 2013. It was moved by Commissioner Bowers, seconded by Commissioner Haynes, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Haynes, Bowers, and Hedden, and Mayor Pro Tem Roach (4). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 2, 2013 Series).

(\*Mayor May arrived)

"RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR CERTIFIED LOCAL GOVERNMENT FOR PRESERVATION EDUCATION AND AUTHORIZING THE MAYOR TO EXECUTE ALL GRANT-RELATED DOCUMENTS" was presented. Following discussion, it was moved by Commissioner Haynes, seconded by Commissioner Hedden, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Roach, Haynes, Bowers, and Hedden, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 1, 2013 Series).

"RESOLUTION TO SUPPORT WALK / BIKE FRANKFORT'S APPLICATION FOR BICYCLE FRIENDLY COMMUNITY DESIGNATION FROM THE LEAGUE OF AMERICAN BICYCLES" was presented. It was moved by Commissioner Bowers, seconded by Commissioner Haynes, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Roach, Haynes, Bowers, and Hedden, and Mayor May (5). Those voting against the motion were none (0). The motion was hereupon adopted (Resolution No. 2, 2013 Series).

“A RESOLUTION SUPPORTING REFORMS TO THE COUNTY EMPLOYEES RETIREMENT SYSTEM (CERS) TO MAKE THE PLAN SUSTAINABLE, SOUND, AND SECURE FOR CURRENT AND FUTURE EMPLOYEES” was presented. Following discussion and without objection, the Resolution was passed over and was not considered. No action was taken.

The following miscellaneous and personnel items were presented:

7.1 Authorized an Agreement between the City of Frankfort and the Franklin County Board of Education providing for the use of the Franklin County Public Schools of the City's sports facilities and parks and the City's use of the Franklin County Public Schools' tennis courts, and authorized the Mayor to sign all related documents; parks and facilities included in the agreement are Juniper Hills Golf Course, Sower Soccer fields, Juniper Hills Park, East Frankfort Park, and one baseball field at Lakeview Park; also allows for reciprocal use of tennis courts at Franklin County and Western Hills High Schools by the Frankfort Parks and Recreation Department (Parks and Recreation);

7.2 Authorized a Memorandum of Agreement between Kentucky State University (KSU) and the City of Frankfort and authorized the Mayor to sign all related documents as may be required; agreement permits KSU to use excess equipment and tanks at the City's Wastewater Treatment Plant for an experiment in growing fish; KSU will pay the City \$150 per year for a three-year period for use of the facilities;

7.3 Authorized the Mayor to sign a Full Release of Mortgage for property located at 66 Jones Lane; property owner signed a promissory note and mortgage to pay sewer capacity fell over time; property owner has paid amount owed in full; document to be filed with the Office of the ranking County Clerk to release the second mortgage (Sewer);

7.4 Approved Change Order #2 in the amount of \$76,591.69 for the Louisville Hill Stormwater Separation Project and authorized the Mayor to sign all related documents associated with the change order; the final balancing change order revised the contract amount to \$1,323,110.69; funds are available in Account No. 300.68.54390 (Sewer);

7.5 Authorized a balancing change order to contract with Basham Construction and Rental Co. for the rehabilitation of approximately 500 feet of failing brick sewer in West Main Street and replacement of approximately 250 feet of failing 12-inch gravity sewer in Catfish Alley; Change Order No. 1 decreases the contract amount by \$11, 828, for a total contact amount of \$236,639 (Sewer);

7.6 Authorized payment in the amount of to the Property Valuation Administrator (PVA) for 2013 City of Frankfort Property Tax Assessment, and authorized the Mayor to sign all related documents; funds are available in Account No. 100.50.53295 (Finance);

7.7 Authorized submission of a continuing application for Law Enforcement Service Fee Grant funds in the amount of \$10,000 and authorized the Mayor to sign all grant-related documents (Police Department);

7.8 Authorized an application for Governor's Highway Safety Grant funds not to exceed \$170,000, and authorized the Mayor to sign all grant-related documents (Police);

7.9 Authorized the purchase of a Caterpillar 305 ECR LS Excavator from Whayne Supply to replace the Street/Floodwall Division of Public Works, and authorized the Mayor to sign all related documents; purchase to be made under the Commonwealth of Kentucky's Master Agreement 7580800002516; fina cost of \$39,000 includes trade-in allowance of \$17,412; funds to be paid from Account No. 100.66.53250 (Public Works);

7.10 Authorized the following personnel actions:

- Resignation of Rick Kelley, effective 2-28-13, and authorize payment of all accrued leave (Sewer Tech IV; Sewer);
- Resignation of Harold Moore, effective 2-28-13, and authorize payment of all accrued leave (Administrative Specialist; finance);
- Appointment of Ricky Phillips, effective 2-26-13 (Transit Driver; Public Works/Transit);
- Promotion of Ernest Howard, effective 2-28-13, to Public Works Tech III from Public Works Tech II (Public Works);
- Transfer of David C. Jones, effective 3-5-13, from E911 Telecommunicator I to Administrative Specialist (E911 / Finance);
- Permission to make two conditional job offers for the position of Patrol Officer I, contingent upon successful completion of physical, psychological, polygraph, and drug screen examinations by the candidates, in order to continue in- depth background investigations of candidates;
- Permission to make a conditional job offer for the position of Telecommunicator I, in order to continue the in-depth background investigation of a candidate, contingent upon successful completion of psychological, polygraph, and drug screen examinations.

It was moved by Commissioner Haynes, seconded by Commissioner Hedden, that the Consent Agenda be adopted. The question was put upon the motion, and without objection, the motion approving the consent agenda was adopted by consensus.

It was moved by Commissioner Hedden, seconded by Commissioner Haynes, to grant an employee request to hold a hearing regarding the employee's dismissal. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Haynes, Bowers, and Hedden, and Mayor May (4). Voting against the motion was Commissioner Roach (1). The motion was thereupon adopted.

Following brief comments from Commissioners Hedden and Bowers, It was moved by Commissioner Haynes, seconded by Commissioner Bowers, to go into closed session to discuss personnel per KRS 61.810 (1)(f), Personnel. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Roach, Haynes, Bowers, and Hedden, and Mayor May (5). Voting against the motion were None (0). The motion was thereupon adopted, and the meeting went into closed session at 5:50 p.m.

It was moved by Commissioner Bowers, seconded by Commissioner Hedden, that the meeting return to open session. The question was put upon the motion, and the motion was adopted by voice vote. The meeting returned to open session at 7:54 p.m.

"AN ORDER CONCERNING JEREMY SOARDS" was presented. It was moved by Commissioner Haynes, seconded by Commissioner Roach, that the Order be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Roach, Haynes, Bowers, and Hedden, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Order No. 3, 2013 Series).

It was moved by Commissioner Roach, seconded by Commissioner Haynes, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Roach, Haynes, Bowers, and Hedden, and Mayor May (5). Those voting against the motion were none (0). The meeting adjourned at 8:07 p.m.

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Mayor

Attest:

City Clerk

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